

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CITY COUNCIL CHAMBERS  
405 SOUTH MAIN STREET  
MONDAY FEBRUARY 25, 2019**

The City Council of the City of Lampasas met in regular session on the above date with Mayor Misti Talbert presiding.

Council Members present:

T.J. Monroe, Mayor Pro Tem  
Cathy Kuehne  
Robert McCauley  
Delana Toups  
Chuck Williamson  
Michael White

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager  
Gary Cox, Assistant City Manager  
Christina Marez, City Secretary  
Becky Sims, Assistant City Secretary  
Vicki Tower, Administrative Secretary  
Yvonne Moreno, Finance Director  
Monica Wright, Information Systems Director  
Sammy Bailey, Police Chief  
Rickie Roy, Public Works Director

**SPECIAL SESSION  
5:30 p.m.**

I. Call to Order Special Session

Mayor Talbert called the special session to order at 5:30 p.m.

II. Adjourn into Executive Session

Mayor Pro Tem Monroe moved to adjourn into executive session at 5:31 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

City Manager deGraffenried requested that Gary Cox, Assistant City Manager, and Yvonne Moreno, Finance Director, be allowed in executive session. Mayor and Council members approved.

**EXECUTIVE SESSION**

The City Council of the City of Lampasas, Texas will meet in closed Executive Session pursuant to the Texas Government Code, Chapter 551, as follows:

1. Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters) - Utilities.
2. Section 551.071 (1) (A) and 551.071(2), Consultation with Attorney by telephone and/or in person concerning matters upon which the attorney has a duty and/or responsibility to report to the governmental body; Cause No 13-17-00047 CV Kempner Water Supply Corporation v. City of Lampasas and/or other matters posted on the regular agenda.

Executive session was adjourned at 6:06 p.m.

<b>SPECIAL SESSION</b>
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III. Discussion and possible action concerning items posted and discussed by Council in Executive Session

Mayor Pro Tem Monroe moved to authorize the Mayor and City Manager to work with Legal Counsel to negotiate, finalize and execute a settlement agreement with Kempner Water Supply Corporation in Cause No. 13-17-00047 CV within the parameters discussed in executive session. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

IV. Adjourn Special Session

Council member Kuehne moved to adjourn special session at 6:07 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

<b>WORKSHOP SESSION</b> <b>5:30 P.M.</b>
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1. Call to order Workshop Session

Mayor Talbert called the workshop session to order at 6:08 p.m.

2. Discussion regarding Chapter 66 Streets, "Sidewalks and other Public Places", Article V "Abandonment of Streets, Alleys and/or Public Right-of-Way"

City Manager deGraffenried explained that at the request of City Council, Staff has placed this item on the workshop agenda for discussion, input and direction. Based on discussion at the previous meeting, Staff recommends review of Division II, Section 66-190 for inclusion of a review process by the Planning and Zoning Commission.

deGraffenried reviewed information that was provided to Council back in February 2015 when Council had discussed the need/desire to further investigate the City's current practice and specific Ordinances related to closing, abandoning, vacating and conveying City right-of-ways. At that time, Council indicated to desire to further investigate possible amendments to the Code, as well as, the desire to become further educated regarding interests, title and rights to City Streets and Alleys. Council changed the process of any

requests for abandonments of streets, alleys and/or public right-of-ways come directly before City Council for consideration.

Council member McCauley expressed that he felt that the requests should be reviewed by the Planning & Zoning Commission (P&Z) first because they have knowledge of zoning, land use, comprehensive plan for our City and more time to review the request. Council gets the request information on a Friday and must make a decision on Monday, not enough time to review. He also said that if the process is changed back and the P&Z made a recommendation to Council, it would take a three-fourths (3/4) majority vote from Council for it to be approved or denied.

deGraffenried explained that if Council wanted to change the process back to all requests going before the Planning & Zoning first, he could make that change.

Council discussion included:

- There was discussion
- Mayor Pro Tem Monroe was fine with the P&Z reviewing the request(s) since they have more expertise.
- Council member White was concerned that if the request had to go before the P&Z, would it extend the process longer for the requestor.
- Council member Kuehne questioned why it was taken from the P&Z. deGraffenried explained that the change was made based on statute and timing.
- Council member Toups said that she would like the P&Z to be able to review the request(s) and provide comment.

After all the discussion, deGraffenried said that he would draft a change to the process and present back to Council.

### 3. Discussion regarding 2019 City Council Work Plan

City Manager deGraffenried handed Council members a handout of the Council Work Plan and reviewed the action steps, comments and target dates. The following was also discussed:

- Take Civic Center off the list
- Food trucks at the Golf Course – review the Ordinance
- Outdoor music events
- Stakeholders
- Technology
- Town Hall meeting – possibly include the budget process as a discussion topic
- Streets
- Strength committees with additional training

deGraffenried asked Council to review the presented Work Plan and provide any feedback for additional discussion at the next Council meeting

### 4. Discussion regarding utility extension on Hetherly for RKJ Development

Gary Cox, Assistant City Manager, explained that this item was placed on the Council agenda to allow discussion regarding public improvements and possible financial participation for a residential

development on Hetherly Street. RKJ Construction, Inc. has approached Staff and requested consideration regarding extension of water and wastewater services to three (3) lots located on Hetherly Street. Based upon per unit costs recently used for a similar project East Avenue G, Staff estimates the cost to install 225 feet of sanitary sewer and appurtenances at approximately \$34,000.00.

Cox noted that engineering has not been done and Eckermann Engineering has provided a cost of \$6,500.000 for their services on this project.

Council discussion included:

- Though there was a similar project on East Avenue G, this project is not the same for consideration of the City cost sharing the extension of services.
- There was concern if the City incurred the cost of engineering services and then the development was not done.
- Engineering services should be done first and then Council would have a better idea of the cost of extension of services and any other costs associated with it such as an extra manhole due to elevation issues.

5. Discussion regarding FY 19/20 Budget Roll-Out

City Manager deGraffenried explained that this item was placed on the workshop agenda to allow brief review of the upcoming budget process. He wanted to seek input from Council on the process, data, and priorities.

Council liked how the process was handled last year.

6. Discussion regarding any item on the regular agenda

There was no discussion.

7. Adjourn Workshop Session

Mayor Pro Tem Monroe moved to adjourn the workshop session at 6:39 p.m. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

A break was taken before going into

<b>REGULAR SESSION</b> <b>7:00 P.M.</b>
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ANNOUNCEMENTS

A. Call to Order

Mayor Talbert called the regular session to order at 7:00 p.m.

B. Invocation and Pledge of Allegiance

Sammy Bailey, Police Chief, gave the invocation and the Pledge of Allegiance to the U.S. and Texas flags were recited.

### C. Presentations and Proclamations

Mayor Talbert presented certificates to the Lampasas Lady Badgers Varsity basketball team for their successful season and their playoff run.

### D. Community Champion

Mayor Talbert recognized Mark Myers and Falyn Myers as Community Champions for their volunteered countless hours of their evenings and weekends to help rejuvenate girls basketball in Lampasas.

	<b>PUBLIC HEARINGS/CITIZEN COMMENTS</b>
1.1	Citizen comments – Any citizen who desires to address the City Council on a matter not included on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.

There were no citizen comments.

2.0	<b>MINUTES</b>
2.1	Discussion and possible action concerning approval of minutes of the regular meeting on February 11, 2019

Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member McCauley and with a unanimous vote, the motion carried.

3.0	<b>CONSENT AGENDA</b>
3.1	Discussion and possible action regarding the second reading of an Ordinance to Close, Abandon, Vacate and Convey a Street and/or Public Right-of-Way or a portion thereof, for property being described as East Deb Lynn from Willis Street to Rice Street.
3.2	Discussion and possible action regarding the second reading of an Ordinance to consider approval, denial, or approval with modification(s) the rezone of 2.18 acres from Retail “R” to Central Business District “CBD”, Lampasas County, Lampasas, Texas. The property is described as Block 10, Old Town Lampasas, Lots 1-7 and the closed portion of First Street, Pecan Street and the alley in Block 10, commonly known as 208 S. Liveoak, Lampasas, Texas.
3.3	Discussion and possible action regarding the second reading of an Ordinance to Close, Abandon, Vacate and Convey the North 4 feet of East Second Street Right of Way adjacent to Lot 3, Block 10 of Old Town Lampasas.
3.4	Discussion and possible action regarding the second reading of an Ordinance amending Chapter 38 “Fire Prevention and Protection” Article IV “Fire Code” adding section 38-107 concerning exceptions to previously adopted 2012 International Fire Code Appendix C Fire Hydrant Locations and Distributions.
3.5	Discussion and possible action on the receipt of the Monthly Investment Report for January 2019.

Council member McCauley requested that Item 3.1 be pulled from the consent agenda for further discussion.

With the exception of Item 3.1, Mayor Pro Tem Monroe moved to approve the other consent agenda items as presented. The motion was seconded by Council member McCauley and with a unanimous vote, the motion carried.

3.1	Discussion and possible action regarding the second reading of an Ordinance to Close, Abandon, Vacate and Convey a Street and/or Public Right-of-Way or a portion thereof, for property being described as East Deb Lynn from Willis Street to Rice Street.
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Council member McCauley expressed his desire to have a utility easement for future purposes.

City Manager deGraffenried indicated that there was no compelling reason to have an easement. He had asked City Staff, specifically the Electric Department, and they expressed no known reason to have one.

Council member White moved to approve the second reading an Ordinance to Close, Abandon, Vacate and Convey a Street and/or Public Right-of-Way or a portion thereof, for property being described as East Deb Lynn from Willis Street to Rice Street as is with no easement. The motion was seconded by Council member Toups and with a vote of six in favor and one opposed (McCauley), the motion carried.

4.0	BOARDS/DEPARTMENT REPORTS
4.1	<ol style="list-style-type: none"> <li>1. City Secretary Monthly Report</li> <li>2. Police Department Monthly Report</li> <li>3. Utility Billing and Collections Monthly Report</li> <li>4. Public Works Monthly Report for Electric, Streets, Water/Wastewater</li> <li>5. Building Official Monthly Report</li> <li>6. Economic Development Monthly Report</li> <li>7. Fire Department Monthly Report</li> <li>8. Parks and Recreation Monthly Report</li> <li>9. Information Systems Monthly Report</li> <li>10. Library Monthly Report</li> <li>11. Golf Course Monthly Report</li> <li>12. Municipal Court Monthly Report</li> </ol>

Christina Marez, City Secretary, introduced her Department employees that were present, Becky Sims and Vicki Tower. She also indicated that she supervises Mr. Ramon Canada, Custodian. She expressed that her employees make her Department run efficiently and successfully. It is a team effort that strives to meet the best service to employees and the citizens.

Marez noted that Mrs. Becky Sims is very savvy with power point and has put together an outline that defines/explains the responsibilities of the City Secretary Department and its employees. Discussion was turned over to Sims to review the overhead presentation.

Sims noted some of the following:

- Departmental responsibilities
- Boards and Commission that the Department supports
- Process on how the Council agenda/packet is created, as well as the P&Z and ZBA requests/packets
- For 2018, the Department attended, created the packets or took minutes for over 30 meetings, not including Council meetings

- For 2018, 36 Open Records Requests were completed
- For 2018, the Department assisted the Building Department with the following: 414 building permits issued and 485 inspections scheduled

5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

City Manager deGraffenried reviewed his report:

- Meters - Contractors installed meters on the west side of town this past week. To date, 214 meters have been installed in routes 12 and 15, which will provide more accurate readings and time of use information. Contractors will return after additional meters are purchased to complete this phase of the change out project.
- Demographics - The Texas State Demographer has released population estimates for January 1, 2018 for Counties and Places. Although Lampasas represents a relatively small statistical sample size, their methodology should provide a reasonable forecast. Estimated population for Lampasas on January 1, 2018 is 7,915; up 18.5% from 2010. The Demographer’s methodology includes review and analysis of births and deaths; housing permit activity; and school census. Lampasas should also feel impacts of growth along corridors, particularly 183 South where Leander has seen 97.6% increase in population, and Liberty Hill has seen a 109.2% increase.
- Fire Chief - On February 13, 2019, Council was notified that Reece Oestreich had submitted his resignation to pursue an opportunity with the State of Texas. As indicated, the City is in the process of preparing a vacancy announcement for publication in media and trade outlets. Additionally, he would be meeting with Fire Department personnel this week to seek input on real and perceived needs of the Department and desired qualities of a new Chief.
- LCRA Grant – Police Chief Bailey reports that the Police Department has applied for funding from the LCRA Community Grant Program for sealing and painting of the Police Station. This project has been discussed through the previous year budget process, however; was not funded. Chief Bailey believes sufficient in-kind match could be provided to drastically reduce the monetary match from the City. Chief Bailey is hopeful to hear in the near future regarding the status of the application.
- Local Option - Staff is hopeful to complete the information related to the Local Option alcohol election prior to the Council meeting. Research of various regulatory controls of the State and City have taken more time than originally estimated. Based on the Alcoholic Beverage Code, the State maintains the majority of regulatory control over establishments that sell or serve beer, wine and mixed drinks, however; the City does have opportunities to review and provide objection to individual permit applications and renewals; and may control locations to the extent allowed by the Code.
- Tree Trimming – Gary Cox, Assistant City Manager, and Chris Eicher, Parks & Recreation Director, are preparing RFQ’s for Park tree trimming. Based on the interest, and the varied experience and expertise of regional contractors, the City will be seeking contractors through the qualification process. After review and scoring, the most qualified contractor will be selected and a scope of work and price will be negotiated. Park tree trimming was specifically funded for the first time this year, and was identified as a priority through the CIP process.
- Personnel Policy - Two marathon staff meetings have resulted in tremendous progress in the update to the City of Lampasas Personnel Policy. The staff team charged with initial review should complete their work in the next couple of weeks, after which time the draft will be available for review by Council and City Manager.

- Foresite Meeting - The Foresite consulting team is planning to present their final report to the Lampasas Economic Development Corporation on March 20, 2019, and Staff and the EDC Board are requesting a joint meeting with City Council to review the results. Foresite has been working on the inventory, assessment and design of internet models for the community for approximately one year and plans on presenting fiber to the home design, financial models, operational options and possible funding sources.
- CIP - The first meeting of 2019 for the Capital Improvement Program Committee was held on February 6, 2019 with new Board members Neal Leavell and Diana Hodges. The Committee discussed the format of future meetings and the components of the annual report. The next meeting will be held on March 7, 2019 and will include presentations by Department Directors regarding capital needs. Staff has also been directed to discuss CIP projects with related Boards and Committees.
- Variance - For your information, the Zoning Board of Adjustment approved a variance for the property located on the corner of Avenue C and Key Avenue. The current structure on the property was built on the west property line, and the new owner seeks to demolish the structure and put a new building approximately 12 feet to the east, however; the awning will encroach on the required side yard. The variance was approved and the developer is hopeful to commence construction in April.
- Special Council Meeting – A Special Council meeting is necessary either March 6 or March 7 for the consideration of the selection of a firm to provide administrative services for the 2019/2020 Community Development Block Grant Program, as well as approval of a Resolution authorizing application for the Grant. Staff will coordinate with Council on the final meeting date.

5.2	MAYOR’S COMMENTS
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Mayor Talbert did not have any comments to report.

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
7.1	Discussion and possible action regarding the purchase of 230 Neptune AMR water meters from Core and Main in the amount of \$47,610.00

Gary Cox, Assistant City Manager, explained that in 2015, the City began a meter replacement program to provide for the replacement of manually read meters with electronic read meters. The City selected Neptune AMR meters after evaluation of products and implemented the use of Neptune AMR water meters. The meters are proprietary in nature and are compatible with existing meter reading technology owned by the City.

Cox also explained the following:

- The purpose of the program is to improve the efficiency and accuracy of the meter reading process, as well as, provided detailed information regarding the consumption of water that is metered through the system.
- Since 2015, approximately 1,068 Neptune AMR meters were installed.
- Approximately 3,400 meters are remaining in the system awaiting replacement.

- A goal to install 500 meters was set for FY 18/19, with the balance to be completed over the next two budget cycles, pending the availability of funds.
- This requested purchase of 230 (\$207.00 each) meters coupled with the meter inventory as of the beginning of the fiscal year would enable the goal to be accomplished.
- Core & Main/Neptune has provided a sole source letter for the purchase.
- The City has budgeted \$50,000.00 for this project.

Council member McCauley moved to approve the purchase of 230 Neptune AMR water meters from Core and Main in the amount of \$47,610.00. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.2	Discussion and possible action concerning approval of Relay for Life Bark for Life Event to be held at Hanna Springs Sculpture Garden on March 2, 2019 from 11-2 p.m.
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Becky Sims, Assistant City Secretary, explained that a representative from Relay for Life (Bark for Life) committee has asked to use the City of Lampasas Hanna Springs Sculpture Garden for their annual event on March 31, 2019 from 12:00 p.m. to 3:00 p.m. instead of the originally requested date of March 2, 2019.

Sims noted that they have used this venue for the past two years. Tina Matney, President for LAFTA (Lampasas Association for the Arts) has been notified and there are no scheduling conflicts and they are excited to welcome this event.

Mayor Pro Tem Monroe moved to approve the request from Relay for Life Bark for Life Event to be held at Hanna Springs Sculpture Garden on March 31, 2019, 12:00 p.m. to 3:00 p.m. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.3	Discussion and possible action regarding the selection of an engineering firm to provide professional services for the 2019 Community Development Block Grant Program Application.
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Gary Cox, Assistant City Manager, explained that in accordance with the requirements of the CDBG application, a Request for Qualifications (RFQ) for engineering services was advertised on January 16, 2019 with a closing date of February 8, 2019. Eight (8) proposals were submitted for evaluation in response to the solicitation. A panel of staff members included the Public Works Director, Water/Wastewater Operations Manager and himself to evaluate the proposals.

Cox reviewed the scoring summary of the proposals received from:

- Mitchell & Associates
- VEI Consulting
- Martinez/Moore
- Mendez
- Jones Heroy & Associates
- Place Designers
- Eckermann Engineering
- TRC Solutions

While all of the firms were qualified to provide the requested services, Staff recommends the selection of Eckermann Engineering to provide engineering services related to the 2019 CDBG program.

Cox also reminded Council that the use of Eckermann Engineering would be contingent upon award of the grant and subject to grant funding.

Council member Toups moved to approve the selection of Eckermann Engineering to provide engineering services for the 2019 Community Development Block Grant Program and authorize the City Manager to execute a professional services agreement and other related documents. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.4	Discussion and possible action regarding a possible development agreement for a residential development on Hetherly Street by RKJ Construction.
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Gary Cox, Assistant City Manager, explained that as discussed in workshop session, RKJ Construction, Inc. has approached Staff and requested consideration regarding the extension of water/wastewater services to three (3) lots located on Hetherly Street. Based upon per unit costs recently used for a similar project East Avenue G, Staff estimates the cost to install 225 feet of sanitary sewer and appurtenances at approximately \$34,000.00. The project would require engineering prior to implementation and Eckermann Engineering has provided a cost of \$6,500.00 for their services.

Council member White moved to authorize \$6,500.00 for engineering services related to the possible residential development on Hetherly Street by RKJ Construction. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

Adjourn

Mayor Pro Tem Monroe moved to adjourn the meeting at 7:40 p.m. The motion was seconded by Council member McCauley and with a unanimous vote, the motion carried.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Misti Talbert, Mayor

ATTEST:

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Christina Marez, City Secretary